

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

1. ERIC MOODY

Plaintiff(s),

vs.

Case Number: 4:19-cv-00091-CVE-FHM

1. TRINITY INDUSTRIES
2. TRINITY CONTAINERS

Defendant(s).

STATUS REPORT ON REMOVED ACTION

This form must be filed by the removing party at the time of filing the notice of removal or within five (5) days of the filing of the notice of removal in the U.S. District Court. **Note:** Additional sheets may be used as necessary.

I. State Court Information

Identify the court from which the case is being removed.
Specify the number assigned to the case in that court.

Court: Tulsa County, Oklahoma
Number: CJ-2018-03291

II. Style of the Case

Include all termed/dismissed and pending Plaintiff(s), Defendant(s), Intervenor(s), Counter-Claimant(s), Counter-Defendant(s), Cross-Claimant(s), Cross-Defendant(s), Third-Party Plaintiff(s), and Third-Party Defendant(s). Indicate the party type and the attorney(s) of record for each party.

Party(ies)	Party Type	Attorney(s) of Record (OBA #, Law Firm & Address, 10-Digit Phone #)
Eric Moody	Plaintiff	Hans Otto Lehr, OBA #30622 Benjamin Oxford, OBA #22259 Oxford Lehr, PLLC 9 E. 4th St., Suite 701 Tulsa, OK 74103 918.884.6016
Trinity Containers ¹ ("Arcosa Tank")	Defendant	Stephanie J. Manning, OBA #18741 Eva Turner (seeking <i>pro hac vice</i>) Ogletree, Deakins, Nash, Smoak & Stewart 8117 Preston Road, Suite 500 Dallas, TX 75225 214.987.3800

¹ Neither Trinity Industries nor Trinity Containers are properly named parties to this lawsuit. Plaintiff was previously employed by Trinity Containers, LLC, which is now Arcosa Tank, LLC f/k/a Trinity Containers, LLC. Arcosa, Inc. is now the parent company of Arcosa Tank, LLC f/k/a Trinity Containers, LLC, not Trinity Industries.

Trinity Industries	Defendant	Stephanie J. Manning, OBA #18741 Eva Turner (seeking <i>pro hac vice</i>) Ogletree, Deakins, Nash, Smoak & Stewart 8117 Preston Road, Suite 500 Dallas, TX 75225 214.987.3800
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III. Jury Demand

Was a Jury Demand made in State Court? ☒ Yes ☐ Yes, but rescinded ☐ No

Requesting Party(ies)	Date of Request
Plaintiff	08/06/2018

IV. Complaints, Counter-Claims, Cross-Claims, Third Party Complaints, and Intervenor Complaints

List all complaint-type documents (Complaints, Amended Complaints, Counter-Claims, Amended Counter-Claims, Cross-Claims, Amended Cross-Claims, Third-Party Complaints, Amended Third-Party Complaints, Intervenor Complaints, and Amended Intervenor Complaints) filed in State Court. Indicate filing party(ies), against whom, and date filed.

Complaint-Type Document(s)	Filing Party(ies)	Against Whom	Date Filed
Petition	Plaintiff	Trinity Industries and Trinity Containers	08/06/2018

V. Unserved Parties

List parties not served at time of case removal.

Unserved Party(ies)	Reason(s) for No Service

VI. Answer

Was an Answer made in State Court? Yes ☐ No ☒

If **Yes**, indicate document answered, filing party(ies), and date filed.

Document Answered	Filing Party(ies)	Date Filed

VII. Nonsuited, Dismissed or Terminated Parties

List party(ies) nonsuited, dismissed or terminated from the State Court action. Indicate date of termination/dismissal.

Nonsuited, Dismissed or Terminated Party(ies)	Date Terminated/Dismissed

VIII. Remaining Claims of the Parties

List all pending complaint-type documents from Section IV. Indicate filing party(ies), against whom and date filed.

Pending Complaint-Type Document(s)	Filing Party(ies)	Against Whom	Date Filed
Petition alleging wrongful discharge in violation of public policy	Plaintiff	Trinity Industries and Trinity Containers	08/06/2018

IX. Pending Motions

List all contested pending motions. Indicate filing party(ies) and date filed.

Pending Motions	Filing Party(ies)	Date Filed

Removing Party(ies):	<u>Arcosa Tank, LLC f/k/a Trinity Containers, LLC</u>
Attorney Signature:	<u>/s/ Stephanie Johnson Manning</u>
Printed Name:	<u>Stephanie Johnson Manning</u>
OBA Number:	<u>18741</u>
Law Firm:	<u>Ogletree, Deakins, Nash, Smoak, and Stewart</u>
Address:	<u>8117 Preston Road, Suite 500</u>
City, State, Zip Code:	<u>Dallas, Texas 75225</u>
10-Digit Phone Number:	<u>214.987.3800</u>
Facsimile:	<u>214.987.3927</u>
Email Address:	<u>stephanie.manning@ogletreedeakins.com</u>

CERTIFICATE OF SERVICE

I hereby certify that on February 19, 2019, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Name(s) Only:

Hans Otto Lehr
Benjamin Oxford

/s/ Stephanie Johnson Manning
Stephanie Johnson Manning

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